IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

Bail Appl..No. 5518 of 2007()

CRIME NO.58/2007 OF KOLLAM EXCISE RANGE

PETITIONER/1ST ACCUSED

REGHUNATHAN , S/O SADANANDAN,
CHARUVILA VEETTIL, PUTHALATHAZHAM,
VADAKKEVILA, KOLLAM.

BY ADV. SRI.JOHNSON GOMEZ

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT
ERNAKULAM, THROUGH THE EXCISE INSPECTOR,
KOLLAM EXCISE RANGE, KOLLAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5518 of 2007

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Dated this the 12th day of September, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 12x35 litres of spirit on 20.06.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that there is no criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that the petitioner, who continues in custody from 20.06.2007, can now be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be directed to be released on bail on the following terms and conditions.

i) The petitioner shall not be released on bail on the strength of this order prior to 19.09.2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays, Wednesdays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE